

# Notice of Allowability

Application No.

10/630,806

Examiner

Alton N. Pryor

Applicant(s)

STEWART ET AL.

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## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to 12/12/06.
2. ☐ The allowed claim(s) is/are 1-4,6 (claims renumbered 1-5 respectively).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                                |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance             |
|  | 9. <input type="checkbox"/> Other _____  |

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Conn on 3/16/07.

The application has been amended as follows:

1. An agrochemical formulation aid composition comprising about 1 to 99 parts by weight of monocarbamide dihydrogen sulphate and 50 to 1 parts by weight of a blend, said blend comprising:

~~25-75~~1-99% by weight of a phosphate ester ~~blend~~;  
~~75-25~~99-1% by weight of a tallow amine ethoxylate;  
~~0-25%~~ 3-5% by weight of a fatty acid methyl ester;  
~~0-5%~~ 0.1-3% by weight of a free fatty acid ~~blend~~;  
~~0-10%~~ 0.1-1% by weight of a linear alcohol ~~blend~~;  
~~0-1%~~ 1-6% by weight of oleyl-cetyl alcohol;  
~~0-10%~~ 0.5 to 1.5% by weight of polyethylene glycol; and  
balance, if any, of water.

2. An agrochemical formulation aid composition comprising about 1 to 99 parts by weight of monocarbamide dihydrogen sulphate and 50 to 1 parts by weight of a blend, said blend comprising:

~~1-99%~~ by weight of a phosphate ester ~~blend~~;  
~~99-1%~~ by weight of a tallow amine ethoxylate;  
~~0-25%~~ 20-25% by weight of a fatty acid methyl ester;  
~~0-5%~~ 0.1-3% by weight of a free fatty acid ~~blend~~;  
~~0-0.5%~~ 3-6% by weight of 2N-octanol;  
~~0-1%~~ 5-10% by weight of oleyl-cetyl alcohol;

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~~0-1%~~ 0.1-1% by weight of N-butanol;

~~0-10%~~ 7.2% by weight of polyethylene glycol; and  
balance, if any, of water.

3. The agrochemical formulation aid composition of claim 1 wherein said blend comprises:

about 3-5% by weight of a fatty acid methyl ester;

about ~~0-0.5%~~ 0.1-3% by weight free fatty acid ~~blend~~;

about ~~0-0.5%~~ 0.5-3% by weight 2N-octanol;

about ~~0-1%~~ 1-6% by weight of oleyl-cetyl alcohol;

from about ~~0-0.1%~~ 0.1-1% by weight N-butanol;

from about 3-10% by weight of ~~a phosphate ester blend~~ of alkyl(aryl)ethoxylate  
phosphate ester as phosphate ester;

from about 3-12% by weight tallow amine ethoxylate; and

from about 0.5 to 1.5% by weight polyethylene glycol.

~~4. The~~ An agrochemical formulation aid composition of ~~claim 1~~ comprising about 85% by weight of monocarbamide dihydrogen sulphate and about 15% by weight of ~~said a~~ blend, said blend comprising:

31% phosphate ester ~~blend~~;

21.5% by weight tallow amine ethoxylate,

20.7% methyl soyate,

7.2% polyethylene glycol,

5.8% linear alcohol ~~blend~~,

1.9% tall oil fatty acid,

0.9% by weight butanol, and

11% water.

5. (cancelled)

6. The agrochemical formulation aid composition of claim 1 comprising about 85% by weight of monocarbamide dihydrogen sulphate and about 15% by weight of said blend, said blend comprising about 25 to 75% by weight of ~~a phosphate ester blend~~ of

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alkyl(aryl) ethoxylate phosphate esters as said phosphate ester and about 75 to 25% by weight of-a said tallow amine ethoxylate.

The following is an examiner's statement of reasons for allowance: The prior art does not teach or suggest an agrochemical composition comprising monocarbamide dihydrogen sulfate plus instant blend of ingredients in their claimed amounts.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

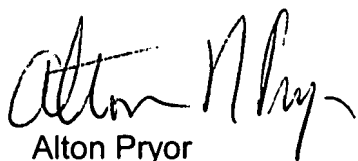
#### ***Telephonic Inquiry***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alton N. Pryor whose telephone number is 571-272-0621. The examiner can normally be reached on 8:00 a.m. - 4:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Johann Richter can be reached on 571-272-0646. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Alton Pryor', is written over the printed name.

Alton Pryor  
Primary Examiner  
AU 1616